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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/031,341	01/18/2002	Philippe Dupuy	217694US2PCT	6469

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EXAMINER

VY, HUNG T

ART UNIT	PAPER NUMBER
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2828

DATE MAILED: 03/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/031,341

Applicant(s)

DUPUY, PHILIPPE

Examiner

Hung T Vy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

  
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**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8. 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. In response to the communications dated 01/18/2002, claims 1-4 are pending in this application as a result of the addition of claims 13-24 and the cancellation of claims 1-12.

### **Acknowledges**

2. Receipt is acknowledged of the following items from the Applicant.

Information Disclosure Statement (IDS) filed on 04/08/2002 and made of record as Paper No. 6. The references cited on the PTOL 1449 form have been considered.

### **Foreign Priority**

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in France on 07/27/1999.

### **Specification**

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4. The specification has been checked to the extent necessary to determine the presence of possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### **Claim Rejections - 35 USC § 102**

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

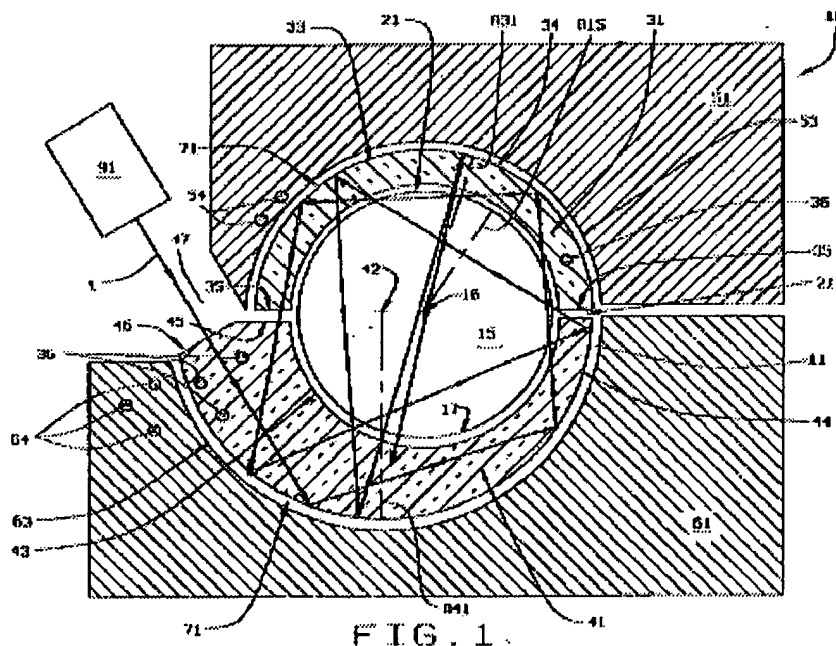
A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-24 are rejected under 35 U. S. C. § 102 (b) as being anticipated by Dube, U.S. patent No. 5,619,522.

Regarding claim 14, Dube discloses an optical pumping module comprising a light amplifying medium (15), at least one light source (91) for optically pumping the amplifying medium (15) and a reflector which encircles the amplifying medium (15) and the wall of the reflector (44 and 34) is configured to reflect light from the source, wherein the reflector is partly or totally diffusive (see column 8, line 29-31) and the source (91) is orientated so as to send a beam directly stemming from this source towards the wall of the reflector so that this beam undergoes successive partly or totally diffusive reflections thereon and the amplifying medium (15) is optically pumped by the sole light reflected by the wall of the partly or totally diffusive reflector (See fig. 1 below).

Regarding claims 15-24, Dube discloses the module, wherein the amplifying medium (15) forms a cylindrical rod (See column 5, line 2-3) with a substantially circular base, the light source (91) is for transverse optical pumping of this medium (15), and the wall of the reflector forms a cylinder with generatrices parallel to an axis of the amplifying medium (See fig 1 below), the base of the cylinder formed by the wall of the reflector is selected from substantially regular polygons, ellipses (See fig 1 and fig. 6), the light source (91) is a light emitter and this light emitter is selected from a laser diode, a laser diode array, a row of laser diode arrays, a stack of laser diode arrays, and a combination of the row and the stack, the arrays being parallel to generatrices of the cylinder formed by the wall of the reflector (See column 1, line 43-55), the module comprising several blocks (see fig 1), the light source (91) is placed in a gap formed



between two adjacent blocks (See fig 1), each block comprising a planar face (see column 4, line 18-21), the light source is a light emitter (See column 1, line 49)

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With respect to claims 13, the methods for optically pumping a light amplifying are considered as product by process steps.

### **Citation of Pertinent References**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patent to Paiva discloses Side-Pumped Laser with Angled Diode Pumps, U.S. Patent No. 5,140,607.

The patent to Azad discloses Laser Apparatus for Minimizing WaveFront distortion, U.S. Patent No. 4,740,983.

### **Conclusion**

7. When responding to the office action, Applicants are advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist the examiner to locate the appropriate paragraphs.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Vy whose telephone number is (703) 605-0759. The examiner can normally be reached on Monday-Friday 8:30 am - 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul IP can be reached on (703) 308-3098. The fax numbers for the

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organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



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February 28, 2003